

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO
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IN THE UNITED STATES DISTRICT COURT 12 NOV 20 AM 8:30
FOR THE DISTRICT OF NEW MEXICO CLERK-LAS CRUCES

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

CIV 10-0713 RB/KBM
CR 06-1795 RB

STEVE N. JACKSON,

Defendant-Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

The Magistrate Judge filed proposed findings that recommend Defendant's post-judgment motion be denied. The docket entry notes that objections were due on November 13, 2012. See Doc. 29. Defendant, who is incarcerated in a facility in Kentucky, filed his objections on November 14, 2012, and did not submit the necessary showings to take advantage of the prison mailbox rule. See, e.g., *Houston v. Lack*, 487 U.S. 266, 270-71, 287 (1988); *United States v. Ceballos-Martinez*, 387 F.3d 1140, 1145 (10th Cir.), cert. denied, 543 U.S. 1005 (2004); *Blake v. Aramark Corp.*, ___ F. App'x ___, ___, No. 12-3053, 2012 WL 2899056, at *1 (10th Cir. Jul. 17, 2012); *Mitchell v. Medina*, ___ F. App'x ___, ___, No. 12-1217, 2012 WL 2628076 at *2 (10th Cir. Jul. 6, 2012), petition for cert. filed 9/19/12 (No. 12-6539). Nonetheless, the Court has

considered his objections de novo, and finds them without merit. *See, e.g., Garcia v. City of Albuquerque*, 232 F.3d 760, 766-67 (10th Cir. 2000).

Wherefore,

IT IS HEREBY ORDERED that the Magistrate Judge's proposed findings (Doc. 29 in the civil action; Doc. 114 in the criminal action) are ADOPTED, and Defendant's motion for reconsideration (Doc. 28 in the civil action; Doc. 113 in the criminal action) is DENIED.



UNITED STATES DISTRICT JUDGE